

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Great White Bear, LLC,

Plaintiff,

-against-

Mervyns, LLC,

Defendant.

)
)
) **CASE NO. 06 CIV. 13358 (RMB)(FM)**
)
) **TYPE OF ACTION**
)
) **NOTICE OF SUGGESTION ON**
) **PENDENCY OF BANKRUPTCY AND**
) **AUTOMATIC STAY OF**
) **PROCEEDINGS**
)
)

PLEASE TAKE NOTICE that on July 29, 2008 (the "Petition Date"), Mervyn's Holdings, LLC, Mervyn's LLC and Mervyn's Brands, LLC (collectively, the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code"), in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court"). As indicated by the notice attached hereto as Exhibit A and incorporated herein by reference, the Debtors' chapter 11 cases are pending before The Honorable Kevin Gross and are being jointly administered by the Bankruptcy Court under Case No. 08-11586 (KG).

PLEASE TAKE FURTHER NOTICE that, in accordance with the automatic stay imposed by section 362 of the Bankruptcy Code, from and after the Petition Date no cause of action arising prior to the Petition Date or relating to the period prior to the Petition Date may be commenced or prosecuted against the Debtors, and no related judgment may be entered or enforced against the Debtors, outside of the Bankruptcy Court without the Bankruptcy Court first issuing an order lifting or modifying the automatic stay. Accordingly, the above-captioned action may not be prosecuted against the Debtors for any action arising prior to the Petition Date

or relating to the period prior to the Petition Date, and no valid judgment may be entered or enforced, against the Defendant.

Dated: August 4, 2008

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By


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EXHIBIT A

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
MERVYN'S HOLDINGS, LLC, <u>et al.</u> , ¹)	Case No. 08-11586 (KG)
)	
Debtors.)	Joint Administration Pending
)	

**NOTICE OF (I) FILING OF BANKRUPTCY PETITIONS AND
RELATED PLEADINGS AND (II) FIRST-DAY HEARING THEREON**

TO: ALL PARTIES IN INTEREST

PLEASE TAKE NOTICE that on July 29, 2008, Mervyn's Holdings, LLC, Mervyn's LLC and Mervyn's Brands, LLC (collectively, the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code").

PLEASE TAKE FURTHER NOTICE that in addition to the filing of their voluntary petitions, the Debtors have filed the following first day motions and related pleadings (collectively, the "First Day Motions"):

1. Affidavit of Charles R. Kurth, Executive Vice President and Chief Financial and Administrative Officer of the Debtors, in Support of the First Day Motions [Docket No. 2 - filed July 29, 2008]
2. Motion of the Debtors and Debtors in Possession for Entry of an Order Directing Joint Administration of Their Related Chapter 11 Cases [Docket No. 3 - filed July 29, 2008]
3. Motion of the Debtors and Debtors in Possession for Entry of an Order Appointing Kurtzman Carson Consultants LLC as Claims, Noticing and Balloting Agent [Docket No. 4 - filed July 29, 2008]

¹ The Debtors in these cases, along with the last four digits of the federal tax identification number for each of the Debtors, are Mervyn's Holdings, LLC (7931), Mervyn's LLC (4456) and Mervyn's Brands, LLC (8850).

4. Debtors' Motion for Entry of an Order Authorizing the Debtors to Honor Customer Programs [Docket No. 5 - filed July 29, 2008]
5. Debtors' Motion for Entry of an Order, Inter Alia, Establishing Procedures for Determining Adequate Assurance of Payment for Future Utility Services [Docket No. 6 - filed July 29, 2008]
6. Debtors' Motion for an Order Authorizing the Debtors to Pay Prepetition Sales and Use Taxes and Related Obligations [Docket No. 7 - filed July 29, 2008]
7. Debtors' Motion for Entry of an Order Authorizing the Debtors to Pay Prepetition Amounts Owed to Common Carriers and Customs Brokers [Docket No. 8 - filed July 29, 2008]
8. Debtors' Motion for Entry of an Order (A) Authorizing Debtors to (I) Continue Use of Existing Cash Management System, Bank Accounts and Business Forms and (II) Authorizing Debtors to Open New Debtor in Possession Accounts, and (B) Extending the Debtors' Time to Comply with Section 345(b) of the Bankruptcy Code [Docket No. 9 - filed July 29, 2008]
9. Motion of the Debtors and Debtors in Possession for Entry of an Order (A) Authorizing Debtors to (I) Pay Certain Prepetition Employee Obligations, and (II) Continue Certain Employee Obligations in the Ordinary Course Postpetition and (B) Authorizing and Directing Financial Institutions to Honor All Related Checks and Electronic Payment Requests [Docket No. 10 - filed July 29, 2008]
10. Debtors' Motion for Authority to (I) Pay Prepetition Obligations Workers Compensation and Self Insured General Liability Insurance Programs, (II) Continue Such Insurance Programs and Honor Postpetition Obligations in Respect Thereof, and (III) Continue Certain Premium Financing Arrangement and Honor Postpetition Obligations in Respect Thereof [Docket No. 11 - filed July 29, 2008]
11. Debtors' Motion for Interim and Final Orders (A) Authorizing Debtors to Obtain Postpetition Financing and Grant Security Interests and Superpriority Administrative Expense Status Pursuant to 11 U.S.C. §§ 105 and 364(c); (B) Modifying the Automatic Stay Pursuant to 11 U.S.C. § 362; (C) Authorizing Debtors to Enter Into Agreements with Wachovia Capital Finance Corporation (Western), in Its Capacity as Administrative and Collateral Agent for Itself and Certain Other Lenders; (D) Authorizing Debtors to Use Collateral Subject to Liens and Security Interests Including Cash Collateral and Granting Adequate Protection in Respect Thereof and

(E) Scheduling Interim and Final Hearings Pursuant to Bankruptcy Rule 4001 [Docket No. 12 - filed July 29, 2008]

- A. Exhibit Supplement to Debtors' Motion for Interim and Final Orders (A) Authorizing Debtors to Obtain Postpetition Financing and Grant Security Interests and Superpriority Administrative Expense Status Pursuant to 11 U.S.C. §§ 105 and 364(c); (B) Modifying the Automatic Stay Pursuant to 11 U.S.C. § 362; (C) Authorizing Debtors to Enter Into Agreements with Wachovia Capital Finance Corporation (Western), in Its Capacity as Administrative and Collateral Agent for Itself and Certain Other Lenders; (D) Authorizing Debtors to Use Collateral Subject to Liens and Security Interests Including Cash Collateral and Granting Adequate Protection in Respect Thereof and (E) Scheduling Interim and Final Hearings Pursuant to Bankruptcy Rule 4001 [Docket No. 15 - filed July 29, 2008]

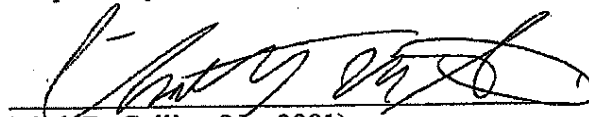
PLEASE TAKE FURTHER NOTICE that a hearing (the "First Day Hearing") with respect to the First Day Motions is scheduled for **July 30, 2008 at 1:00 P.M. (Prevailing Eastern Time)** at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 6th Floor, Courtroom 3, Wilmington, Delaware 19801 before The Honorable Kevin Gross, Bankruptcy Judge for the District of Delaware.

PLEASE TAKE FURTHER NOTICE that copies of all documents referenced herein are available online at www.kccllc.net/mervyns.

PLEASE TAKE FURTHER NOTICE that all objections, if any, to the First Day Motions may be made at the First Day Hearing.

Dated: July 29, 2008
Wilmington, Delaware

Respectfully submitted,



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